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EXAMINER

ZIA, SYED

ART UNIT PAPER NUMBER

2131

DATE MAILED: 09/24/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/460,089

Applicant(s)

BEDARD ET AL.

Examiner

Syed Zia

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) 2, and 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-11, 13-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 22, 2003 (Paper No. 9) has been entered.

### ***Response to Amendment***

1. This is in response to amendment filed on July 22, 2003 (Paper No. 10). Original application contained Claims 1-56. Applicant amended Claims 1, 11, 24-25, and 39-40. Applicant cancelled Claims 2, and 12. Amendment filed on July 22, 2003 have been entered and made of record. Therefore, pending Claims 1, 3-11, and 13-56 are presented for further consideration and examination.

### ***Response to Arguments***

Applicant's arguments on July 22, 2003(Paper No. 10) have been fully considered but they are not persuasive because of the following reasons:

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Regarding Claim 1 applicant argued that U. S. Patent 5,408,518 issued to Yunoki (hereinafter, Yunoki) does not teach or fails to describe, “*directing a token generator to issue a token to the first network station client in response to user input to a second network station client*”.

This is not found persuasive. This is disclosed in the application that token generator create a token associated with a persistent invitation to join the ongoing conference call, and token generator generates token which can have a number of different fields such as a token ID field, a conference ID field, conference call participation information field, etc. (Please refer Page No.8 second paragraph of disclosure statement of application). Yunoki clearly teaches the teleconference system comprises a teleconference registration device for registering, notifying all teleconference participants of the teleconference and for responding to a status confirmation request for the date and time of the teleconference run. A teleconference run device holds a teleconference by automatically connecting all attending teleconference participants online on the date and time of the teleconference run registered by the teleconference registration device run (col.5 line 28 to col.6 line 5, and col.6 line 61 to col.7 line 47).

As a result, APA does implement a system to extend conference capabilities of an ongoing conference call. Therefore, the examiner asserts that APA does teach or suggest the subject matter broadly recited in independent Claims 1, 11, 24, and 39. Dependent claims 3-10, 13-23, 25-38, and 40-56 are also rejected at least by virtue of their dependency on independent claims and by other reason set forth in the this office action (Paper No. 11). Accordingly, rejections for Claims 1, 3-11, 13-56 are respectfully maintained.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-56 are rejected under 35 U.S.C. 102(b) as being anticipated by Yunoki. U. S. Patent 5,408,518.

3. Regarding claims 1 and 11 Yunoki teaches and describes a system and method for adding a network station client to an ongoing conference call, comprising:

- extending a persistent invitation to a first network station client to join a conference call in response to a determination that the first network station client is unavailable to accept a non-persistent invitation to join the conference call, wherein said extending comprises, directing a token generator to issue a token to the first network station client in response to user input to a second network station client (Fig.1, col. 4 line 30 to line 61, col.5 line 28 to col.6 line 5, and col.6 line 61 to col.7 line 47); and

- adding the first network station client to the conference call when the first network station client accepts the persistent invitation to join the conference call utilizing token (Fig.1, col. 2 line 15 to line 48, and col. 4 line 38 to col. 6 line 25).

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4. Regarding claims 24 and 39 Yunoki teaches and describes a system and method for accepting an invitation to join an ongoing conference call, comprising:

- receiving at an initially unavailable network station client a persistent invitation to join a conference call wherein said receiving comprises, receiving a token indicative of a persistent invitation to join the conference call (Fig.1, col. 2 line 16 to line 25, and col. 5 line 13 to col.6 line 5); and

- presenting an alert that the persistent invitation to join the conference call has been received, in response to the token (col.7 line 1 to line 60); and accepting the persistent invitation to join the conference call in response to user input to a network station client selected from the group comprising the initially unavailable network station client and another network station client where the user has been authenticated (Fig.1, col.3 line 40 to line 57, and col. 5 line 61 to col. 6 line 25).

5. Claims 3-5, 7-8, 13-15, 17-18, 25, 29, 36, 40, 44, 51 and 54 are rejected applied as above in rejecting claims 1, 11, 24, and 39. Furthermore, Yunoki teaches and describes a system and method extending a persistent invitation to a first network station client to join a conference call in response to a determination that the first network station client is unavailable to accept a non-persistent invitation to join the conference, wherein:

- receiving a message that the first network station client is busy, and determining that the first network station client is not responding to the non-persistent invitation to join the conference call within a specified time period (col. 3 line 6 to line 29);

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- sending to the first network station client a token having at least one field selected from the group comprising a token ID field, a conference ID field, a password field, an expiration time field, and a conference call participant information field (Fig. 5, col. 14 line 35 to col. 16 line 67);

- detecting that the first network station client has returned a token to a token processor in indication that the first network station client has accepted the persistent invitation to join the conference call (Fig.6, col. 17 line 36 to col. 18 line 54);

- withdrawing the persistent invitation upon termination of the conference call (col.22 line 53 to line 59);

- receiving a token indicative of a persistent invitation to join the conference call, the token having at least one field selected from the group comprising a token ID field, a conference ID field, a password field, an expiration time field, and a conference call participant information field; and presenting an alert that the persistent invitation to join the conference call has been received, in response to the token (Fig. 5, col. 14 line 35 to col. 16 line 67);

- accepting user input indicating that the persistent invitation to join the conference call has been accepted; and transmitting a token to a multipoint controller as an indication that the persistent invitation to join the conference call has been accepted (Fig. 6, col. 17 line 36 to col. 18 line 54);

- withdrawing an ability to accept the persistent invitation in response to a notification that the conference call has terminated (col. 22 line 53 to line 59);

- signal bearing media bearing said means for receiving at an initially unavailable

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network station client a persistent invitation to join a conference call, and said means for accepting the persistent invitation to join the conference call in response to user input to a network station client selected from the group comprising the initially unavailable network station client and another network station client where the user has been authenticated (col.7 line 1 to line 33).

6. Claims 6, 9, 16, 19, 21, 26-28, 30-33, 37-38, 41-43, 45-48, 52-53, and 55-56 are rejected applied as above in rejecting claims 5, 8, 15, 18, 25, 29, 36, 40, 44, 51 and 54. Furthermore, Yunoki teaches and describes a system and method of registering the participants; a function of automatically notifying an invitation to, a cancellation of, an absence from and a status confirmation of a teleconference, and a function of automatically holding a teleconference by calling up the participants for an online connection at a specified time on a designated date; wherein:

- sending to the first network station client a reference used to retrieve state data where such state data functions as at least one field selected from the group comprising a token ID field, a conference ID field, a password field, an expiration time field, and a conference call participant information field (Fig. 5, col. 14 line 35 to col. 16 line 67);

- notifying the first network station client that the conference call has been terminated (col. 22 line 53 to line 59);

- signal bearing media bearing said means for extending a persistent invitation to a first network station client to join a conference call in response to a determination that the first network station client is unavailable to accept a non-persistent invitation to join the conference



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call, said means for adding the first network station client to the conference call when the first network station client accepts the persistent invitation to join the conference call, and said means for withdrawing the persistent invitation upon termination of the conference call (col.7 line 1 to line 33);

- receiving a reference used to retrieve state data where such state data functions as at least one field selected from the group comprising a token ID field, a conference ID field, a password field, an expiration time field, and a conference call participant information field (col.5 line 48 to col. 6 line 9);

- presenting at least one visual alert from the group comprising a Graphical User Interface icon, a conference call Camp-On LED indicator, and a conference call Camp-On email message; and presenting an auditory alert selected from the group comprising a notification via a network station speaker, a voice mail conference call Camp-On message, or a conference call Camp-On pager notification (col. 3 line 40 to line 46);

- identification of a transmitting user as a valid participant in the conference call (col.7 line 15 to line 34);

- at least one field selected from the group comprising a token ID field, a conference ID field, a password field, an expiration time field, and a conference call participant information field; and a reference used to retrieve state data where such state data functions as at least one field selected from the group comprising a token ID field, a conference ID field, a password field, an expiration time field, and a conference call participant information field (col. 5 line 48 to col. 6 line 9);

- said transmitting a token to a multipoint controller as an indication that the invitation to

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join the conference call has been accepted further includes: retrieving the token from a cache (col. 7 line 34 to line 47);

- withdrawing an ability to accept the persistent invitation in response to a notification that the conference call has terminated further includes: withdrawing a presented notice that the persistent invitation to join the conference call has been extended; and withdrawing the ability to accept the persistent invitation in response to a notification from a multipoint controller that the conference call has terminated (col. 22 line 4 to line 10);

- signal bearing media further includes: recordable media; and transmission media (col. 2 line 26 to line 32).

7. Claims 10, 20, 22-23, 34-35, and 49-50 are rejected applied as above in rejecting claims 9, 19, 21, 33, and 48. Furthermore, Yunoki teaches and describes a system and method of teleconferencing, wherein:

- notifying the first network station client that the conference call has been terminated further includes: a multipoint controller notifying the first network station client that the conference call has been terminated (col. 18 line 38 to line 51, and col. 22 line 4 to line 10);

- said signal bearing media further comprises: recordable media; and transmission media (col. 2 line 26 to line 32);

- retrieving the token from a cache further includes: retrieving the token from a cache local to an invited network station client; and retrieving the token from a cache local to a network server (col. 7 line 34 to line 47).

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***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 703-305-3881. The examiner can normally be reached on Monday - Friday 9:00 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-7240.

SZ

September 22, 2003

  
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